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2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK  
4 -----x

COPY

5 LEIGHTON TECHNOLOGIES LLC,  
6 Plaintiff,  
7 Civil Action No.  
8 -against- 04 CV 2496  
9 (CM) (LMS)

10 OBERTHUR CARD SYSTEMS, S.A.,  
11  
12 Defendant.  
13  
14-----x  
15 November 22, 2005  
16 12:30 p.m.

17 Deposition of BARRY MOSTELLER, taken by  
18 Plaintiff, pursuant to notice, at the offices of  
19 Sutherland Asbill & Brennan, 1114 Avenue of the  
Americas, New York, New York, before Tracy  
Eckhoff, a Shorthand Reporter and Notary Public  
within and for the State of New York.



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1 BARRY MOSTELLER

2 documents that describes expressly how to  
3 increase the pressure during the cooling cycle;  
4 is that right?

5 MR. GASPARO: The objection stands.

6 A. No, I disagree.

7 Q. Can you point out where in either 1103  
8 or 1104 that is described?

9 A. In the chart in 1104, in my mind, it  
10 clearly shows that as you are cooling during the  
11 cooling cycle, you need to increase the pressure  
12 to almost double what the pressure was in the  
13 heating cycle. From this diagram, it is showing  
14 me, while it doesn't define the units, it is  
15 showing that somewhere around five units of  
16 pressure is the plateau in the hot press, and  
17 then when you begin to cool, you're taking the  
18 pressure up to somewhere around nine units.

19 Q. So are you saying that it's just basic  
20 knowledge as to how you would increase the  
21 pressure during the cooling cycle, of one skilled  
22 in the art of someone who had been in the  
23 industry?

24 MR. GASPARO: Objection.

25 A. What I'm saying is we have a rule of

1                   BARRY MOSTELLER  
2 thumb that I was taught from the very beginning  
3 when I started that your cooling pressures are  
4 usually double what your hot pressure is.

5                 Q. So this is just basic knowledge then?

6                 MR. GASPARO: Objection.

7                 A. In my opinion, yes.

8                   I don't mean to stop right now, but  
9 somewhere soon -- I shouldn't have drank that.

10                Q. How about this? I have two minutes  
11 left, because we all have to get out of here.  
12 Just a few follow-up questions. Two minutes to  
13 go.

14                A. Okay.

15                Q. Just some confirmatory things. In  
16 preparing to sign your declaration -- let me walk  
17 through a couple of things -- did you review any  
18 of the Leighton patents?

19                MR. GASPARO: Objection.

20                A. Repeat the question.

21                Q. In preparing your declaration --

22                A. Yes.

23                Q. -- did you review any of the Leighton  
24 patents?

25                MR. GASPARO: Objection.